

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
Plaintiff,)
)
v.)
)
RAMIZ HODZIC,)
)
Defendant.)

Case No. 4:15 CR 49 CDP
(DDN)

**MOTION BY DEFENDANTS HODZIC AND ROSIC FOR LEAVE TO FILE THEIR
SUPPLEMENTAL MOTION OF DEFENDANTS HODZIC AND ROSIC TO DIS-
MISS THE INDICTMENT UNDER THE DOCTRINE OF COMBATANT IMMUNITY
AND MEMORANDUM IN SUPPORT OF THAT MOTION**

Defendants Ramiz Hodzic and Nihad Rosic through their attorneys, Assistant Federal Public Defender Diane L. Dragan and Attorney JoAnn Trog, move for leave to file a Supplemental Motion and Supporting Memorandum to Dismiss the Indictment on grounds of Combatant Immunity. In support of this motion they state:

1. In its June 29, 2017 Second Amended Scheduling Order Regarding Affirmative Defense, the Court set July 21, 2017, as the deadline for filing Defendant's memorandum as an affirmative defense.
2. Defendants' Joint Motion to Dismiss Counts One and Three does not address Count Two, which charges only Defendants Hodzic and Rosic. This limitation in the Joint Motion necessitated a Supplemental Motion.

3. In conversation with Assistant United States Attorney Matthew Drake, counsel for Hodzic and Rosic learned that the government does not object to the out of time filing of a supplemental motion.

WHEREFORE, Defendants Hodzic and Rosic respectfully request that the Court grant them leave to file their Supplemental Motion and Supporting Memorandum.

Dated July 24, 2017.

Respectfully submitted,

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Attorneys for Defendant Hodzic and Rosic

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2017, October 30, 2015, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Assistant United States Attorney Matthew Drake.

/s/Diane L. Dragan